

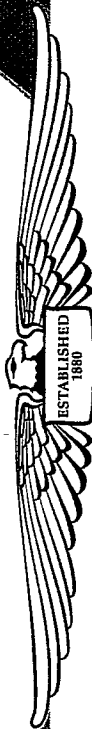
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# ALBUQUERQUE JOURNAL

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## Focused efforts to reduce jail's population paying off

Initiatives to reverse overcrowding at the Bernalillo County Metropolitan Detention Center finally seem to be working on a decades-long problem. And that's a good thing for prisoners, corrections officers and taxpayers.

The population at the West Side lockup has been below the 2,000 mark for the past two months. That is positive news as Bernalillo County works to comply with the requirements of a nearly 20-year-old federal class action lawsuit that claims conditions at the jail violate inmates' constitutional rights.

The lawsuit was filed in 1995 when the old Downtown jail was severely over capacity. The new jail, which opened in 2003, was built for 2,236 inmates and at times has held nearly 3,000 inmates.

A court order has set MDC's maximum capacity at 1,950. The goal is to keep the population under that number for at least 18 months.

In addition to the county's efforts, the state judicial system and the Legislature have stepped up to help.

There was plenty of work to do. Nationally, an inmate is kept in jail awaiting resolution of a felony case about six months. In Bernalillo County, according to one study, the wait in the past has averaged eight months after indictment, even though about 98 percent end with a plea bargain or charges being dismissed before trial.

At about \$60 a day to house an inmate, the cost adds up.

In 2013 the Legislature created a commission, spearheaded by the state Supreme Court and the Administrative Office of the Courts, to review court-related issues and MDC jail overcrowding.

The commission offered a number of recommendations, and two in particular are having an impact. The length of time probation violators wait for a hearing has been reduced from more than 40 days to just over 20.

Before that change, about 27 percent of inmates were being held on probation violations — a large contributor to overcrowding.

Also, the county is paying for pro tem judges to preside over preliminary hearings and probation hearings.

Jail overcrowding is expensive, and the lawsuit itself costs county taxpayers about \$1 million a year in legal and other fees. Progress toward complying with the court order could save millions of dollars.

And victims and defendants should see justice served more efficiently.

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## High court shakes up 2nd District criminal division

A new Supreme Court rule toughens up the rules for the Bernalillo County criminal justice system in a needed effort to speed up disposition of felony cases.

It takes about two months longer to resolve cases in the 2nd Judicial District, which covers Bernalillo County, than the national average, according to one study. That contributes to overcrowding in Bernalillo County Metropolitan Detention Center, which costs taxpayers extra to keep people charged with crimes in jail awaiting their day in court. The high court's action is warranted in light of a nearly two-decades old civil rights lawsuit to end overcrowding at MDC.

The new rule lays out a number of mandates that carry strict penalties if deadlines aren't met. The high court will track which judges are allowing cases to fall behind timetables set out in the court's order.

Among changes that take effect early next year will be a three-track system in which seven judges will process criminal cases. Three other judges will be appointed to clear a backlog of about 3,000 lower-level felony cases. The new rule also puts an end to last-minute plea bargains. And the District Attorney's Office will have to turn over evidence to the defense much earlier than under current procedures.

This is a long-needed antidote for a bloated system that has languished in a pool of delays, extensions and inefficiencies. And despite the backlog the current practices have created, 98 percent of cases end up in plea bargains.

There is no reason for the wheels of justice to turn more slowly here than in the rest of the nation. The new order requires all parties to pitch in and it balances all interests.

The end result should be a more efficient justice system that ensures defendants' speedy trial rights are being protected.